

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

TED A. MCCRACKEN	:	CIVIL ACTION
Plaintiff,	:	
	:	
v.	:	No. 08-2932
	:	
EXXON/MOBIL COMPANY et al.	:	
Defendants.	:	

ORDER

AND NOW, this 16th day of November, 2009, upon consideration of Defendants' Motions to Dismiss (doc. nos. 7, 8, 12, 16, 55) and Plaintiff's responses thereto, it is ORDERED that said motions are GRANTED. For the reasons set forth in the attached Opinion, the unserved Complaints filed against Texaco and Hess Oil Company are also dismissed; however the claims against Texaco and Hess Oil Company alleging breach of warranty of merchantability are dismissed without prejudice.

It is further ORDERED that Plaintiff's four Motions for Leave to File an Amended Complaint (doc. nos. 29, 41, 44, 48) are DENIED and Defendants' Motions for Leave to File Reply Briefs in Support of Motions to Dismiss (doc. nos. 37, 38, 45) are DENIED as MOOT.

The Clerk's Office is ORDERED to mark this case closed.

BY THE COURT:

/s/ Mitchell S. Goldberg

MITCHELL S. GOLDBERG, J.